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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,192	01/21/2004	Kia Silverbrook	RRA17US	2063

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SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, NSW 2041
AUSTRALIA

EXAMINER

GOLDBERG, BRIAN J

ART UNIT	PAPER NUMBER
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2861

DATE MAILED: 04/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/760,192	Applicant(s) SILVERBROOK, KIA	
	Examiner Brian Goldberg	Art Unit 2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook (US 6318849) in view of Kotaki et al. (US 5619239).

3. Regarding claim 1, Silverbrook discloses "an inkjet printer cartridge...comprising: a plurality of ink storage reservoirs (40, 45, 46 of Fig 4); a printing fluid delivery member (14 of Fig 1 and the portion of 14 shown in Fig 4) defining a plurality of ink delivery channels (42,43,44,47,48 of Fig 4); and a pagewidth printhead (2 of Fig 1) in fluid communication (12 of Fig 1) with the plurality of ink storage reservoirs (40, 45, 46 of Fig 4) by means of the one or more printing fluid delivery channels (42, 43, 44, 47, 48 of Fig 4)." The printhead (2), by way of 12, is in fluid communication with the reservoirs (40,45,46) by means of channels (42,43,44,47,48). Thus Silverbrook meets the claimed invention except "said cartridge being replaceably receivable in a cradle of an inkjet printer."

4. Kotaki et al. teach a "cartridge (21) being replaceably receivable in a cradle (103, 110, 111) of an inkjet printer (ln 1-2 of abstract and Figs 4-10)." It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to allow

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the cartridge to be replaceably receivable in a cradle of the inkjet printer. One would have been motivated to so modify Silverbrook by making the cartridge replaceable as set forth by Kotaki et al. for the benefit of allowing the user to replace cartridges when desired, eliminating the need for adjustment by a service man or replacement of the entire printer, as stated by Numata et al. (US 5625384) in column 17, lines 54-58.

5. Regarding claim 2, Silverbrook discloses "an elongate body (the body of 14 of Fig 1) housing the plurality of ink storage reservoirs (40,45,46 of Fig 4)."

6. Regarding claim 3, Silverbrook discloses "wherein the pagewidth printhead (2 of Fig 1) is attached (at 50 of Fig 5) to the elongate body (the body of 14 of Fig 1)."

7. Regarding claim 4, Silverbrook discloses "wherein the ink delivery member (portion of 14 shown in Fig 4) is formed from Liquid Crystal Polymer (col 5 ln 43-45) and extends the length of the printhead (col 5 ln 35-36 and see Fig. 1 where 14 extends the length of 2)." Silverbrook states the ink delivery member (14) is formed from injection molded plastic which is the same as what is stated in the instant application. A liquid crystal polymer is a type of plastic as disclosed in the instant application in paragraph [0062], lines 1-3.

8. Regarding claim 5, Silverbrook discloses "wherein the pagewidth printhead (2 of Fig 1) is attached to the elongate body (the body of 14 of Fig 1) by means of the ink delivery member (see the portion of 14 shown in Fig 4 and at 50 of Fig 5)." The printhead attaches to the elongate body at printhead slot 50 in the fluid delivery member.

Response to Arguments

9. Applicant's arguments filed 4/3/06 have been fully considered but they are not persuasive.

10. In response to applicant's argument that the combined references would not yield a printer cartridge (comprising ink reservoirs, ink delivery member and pagewidth printhead) which is replaceably receivable in a cradle of the printer, the test for obviousness is not that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). The secondary reference is merely teaching the limitation of any type of inkjet printer cartridge being replaceably receivable in a cradle of an inkjet printer and does not need to teach all of the limitations of the particularly claimed inkjet printer cartridge as well as being replaceably receivable in a cradle of an inkjet printer. The Silverbrook reference discloses the limitations of the particularly claimed inkjet printer cartridge. The Kotaki et al. reference teaches that a cartridge can be replaceably receivable in a cradle of an inkjet printer. Therefore, the combined teachings of the references would have suggested to make the cartridge taught by Silverbrook have the property of being replaceably receivable in a cradle of an inkjet printer that is taught by Kotaki et al.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Goldberg whose telephone number is 571-272-2728. The examiner can normally be reached on Monday through Friday, 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 571-272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJG

April 7, 2006



Thinh Nguyen
Primary Examiner
Technology Center 2800